

09-21-01

JCS985 U.S. PTO
09/20/01

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 35722/238390(5722-2A)

First Inventor or Application Identifier: Black, Jr.

Title of Invention: COMPOSITIONS AND METHODS FOR
ACTIVATING GENES OF INTEREST

Express Mail Label No. EL868637407US

866956/60
10/20/01
JCS985 U.S. PTO

ADDRESS TO: **BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Charles Allen Black, Jr., Pittsburgh, PA

1. The Filing Fee has been calculated as shown below:
2. Applicant claims Small Entity Status. See 37 CFR 1.27.

No. Filed	No. Extra	Small Entity Rate	Large Entity Fee 1	Rate	Fee 0
BASIC FEE			\$355		\$0
TOTAL CLAIMS:	12 - 20 = 0	X 9 = \$ 0		x 18 = \$0	
INDEP CLAIMS:	3 - 3 = 0	X 40 = \$ 0		x 80 = \$0	
[<input type="checkbox"/>] MULTIPLE DEPENDENT CLAIMS PRESENTED		+135 = \$		+270 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL	\$355	TOTAL	\$

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. _____.

- a. Fees required under 37 CFR 1.16 (National filing fees).
- b. Fees required under 37 CFR 1.17 (National application processing fees).
- A check in the amount of \$ 355.00 for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3. Specification; Total Pages 23
4. 8 Sheets of Formal Drawing(s) (35 USC 113)
5. Declaration and Power of Attorney; [Total Pages 2]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 i. DELETION OF INVENTOR(S) Signed statement attached deleting
 inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. Computer Readable Copy (CRF)
- b. Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05
- c. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper (7 Pages)
- d. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. 37 CFR 3.73(b) Statement (*when there is an assignee*); Power of Attorney
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449; No Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
Foreign Priority is
16. Request and Certification for Non-publication under 35 U.S.C. 122(b)(2)(B)(i).
Applicant **must** attach form PTO/SB35 or its equivalent.
17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below
and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
 Continuation Divisional Continuation in Part (CIP)
 of prior Application No: 09/446,402; Filed December 20, 1999, which was a National Phase Entry
of PCT/US98/13093, filed June 24, 1998, which National Phase Entry claimed priority from U.S.
Provisional Application No. 60/050,772, filed June 25, 1997.

Prior Application Information: Examiner S. McGarry Group/Art Unit: 1635

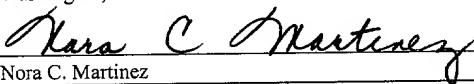
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

CUSTOMER NUMBER 00826

Signature:

Attorney of Record: Eric J. Kron
Attorney Registration No. 45,941

Alston & Bird LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	CERTIFICATE OF EXPRESS MAILING "Express Mail" mailing label number EL868637407US Date of Deposit September 20, 2001 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.  Nora C. Martinez
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RTA01/2103814v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Black, Jr. Group Art Unit: Not assigned
 Appl. No.: To be Assigned Examiner: Not assigned
 Filed: Filed Concurrently Herewith
 For: COMPOSITIONS AND METHODS FOR ACTIVATING
 GENES OF INTEREST

JC986 U.S. PTO 09/20/01


September 20, 2001

**REQUEST FOR TRANSFER OF COMPUTER READABLE FORM OF SEQUENCE
 LISTING UNDER 37 CFR §1.821(e) AND MPEP 2422.05**

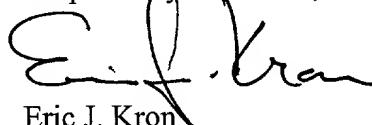
Box Patent Application
 Commissioner for Patents
 Washington, DC 20231

Sir:

Applicants hereby request transfer of previously filed sequence information into the above-mentioned application, concurrently filed herewith.

I hereby state that the paper copy of the sequence listing included in the specification of the above-mentioned application is identical to the computer-readable copy of the sequence listing filed in U.S. Application No. 09/446,402, filed on December 20, 1999. In accordance with 37 CFR §1.821(e) and MPEP 2422.05, please use the last-filed (April 4, 2001) computer-readable form filed in that application as the computer-readable form for the above-mentioned application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the present application.

Respectfully submitted,



Eric J. Kron
 Attorney/Agent for Applicant
 Registration No. 45,941

<p>Customer No. 00826 Alston & Bird LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p>"Express Mail" Mailing Label Number EL868637407US Date of Deposit: September 20, 2001 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner for Patents, Washington, DC 20231.</p> <p> Nora C. Martinez</p>
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